HCJ & RSR,J

Per G.S.Singhvi, CJ

This is a petition for issuance of a mandamus to Respondents 1 to 3 to disburse 25% share of the Koderu Gram Panchayat from the lease amount collected by allotment of quarries of sand at Koderu Reach, Achanta Mandal, West Godavari District.

We have heard the learned counsel for the parties and perused the record. In our opinion, the writ petition is liable to be dismissed because the petitioner has not impleaded the authority, namely the District Level Committee, which is required to disburse 25% share of the lease amount to the Gram Panchayat in accordance with the provisions of the A.P.Minor Mineral Concession Rules, 1966 as party to the writ petition.

We are further of the view that the petitioner, who has not disclosed any special interest in the subject matter of the writ petition, cannot seek a direction on behalf of Koderu Gram Panchayat for disbursement of its share in the lease amount. The Gram Panchayat, being a statutory body, is entitled to protect its own interest. Therefore, we do not find any valid ground to issue writ in terms of the prayer made by the petitioner.

For the reasons stated above, the writ petition is dismissed. However, it is made clear that Koderu Gram Panchayat shall be free to avail appropriate legal remedy including by way of filing writ petition under Article 226 of the Constitution of India for disbursement of the amount which may be payable to it by the District Level Committee.

G.S.SINGHVI, CJ

Dt.22.12.2005

R.SUBHASH REDDY,J

msv

HONOURABLE SRI G.S.SINGHVI, THE CHIEF JUSTICE

AND

HONOURABLE SRI JUSTICE R.SUBHASH REDDY

W.P.NO.6913 OF 2005

BETWEEN

Balla Satyanarayana …. Petitioner

And

The Chairman, Zilla Parishad

& West Godavari District Sand Auction Committee,

Eluru, West Godavari District and others.

…. Respondents

:: JUDGMENT::

Counsel for the Petitioner : Mr.K.Chidambaram

Counsel for the Respondents 1 to 6 : Government Pleader for Panchayat Raj

Dated 22.12.2005